

PATENT

A-65680-2/RFT/RMS/DAV

CERTIFICATE OF MAIL (37 CFR 1.8(a))

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, DC 20231 on November 30, 1999.

Signed:

Judy Wilson
Judy Wilson

#9

PLUNKETT
2/12/00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of *DEC 06 1999* JC16
Haaf, et al.
SERIAL NO.: 09/182,102
FILING DATE: October 27, 1998
TITLE: METHODS AND
COMPOSITIONS
UTILIZING RAD51

Examiner: J. Brusca, Ph.D.

Art Unit: 1636

NOTICE OF APPEAL FROM THE
EXAMINER TO THE BOARD OF
PATENT APPEALS AND
INTERFERENCES

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

Applicant hereby appeals to the Board of Patent Appeals and interferences from the decision dated August 31, 1999 of the Examiner rejecting claims 18, 19, 21.

The items checked below are appropriate:

The fee for filing this Notice of Appeal (37 CFR 1.17(e)).

Notice of Appeal Fee....\$150.00

Notice of Appeal Fee.....\$300.00

Notice of Appeal Total: \$ 150.00

Verified Statement of Small Entity is attached.

Verified Statement of Small Entity was filed previously.

Other:

Other Fees Total: \$

150.00 00

00000061 09182162

12/08/1999 11:26:21 01 FT:219

TOTAL FEES \$ 150.00

Conditional Petition for Extension of Time: An extension of time is requested to provide for timely filing if an extension of time is still required after all papers filed with this transmittal have been considered.

A check for the amount of **TOTAL FEES DUE** indicated above.

The Commissioner is hereby authorized to charge \$ _____ to cover the payment of the fee(s) indicated below to Deposit Account No. 06-1300.

The Commissioner is hereby authorized to charge any deficiency in the payment of the required fee(s) or credit any overpayment to Deposit Account No. 06-1300 (A-65680-2/RMS/DAV).

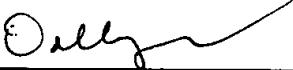
Any filing fees under 37 CFR 1.1 including fees for the presentation of extra claims.

Any patent application processing fees under 37 CFR 1.17.

Respectfully submitted,

FLEHR HOHBACH TEST
ALBRITTON & HERBERT LLP

11/30/99
Date


Dolly A. Vance
Reg. No. 39,054

Flehr Hohbach Test
Albritton and Herbert LLP
Four Embarcadero Center
Suite 3400
San Francisco, CA 94111-4187
Telephone: (415) 781-1989